

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JAN 17 2019

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFFERY ANDREW BURNS and
CYARA JOAVANY WHITLOCK,

Defendants.

CR 18-42-M-DWM

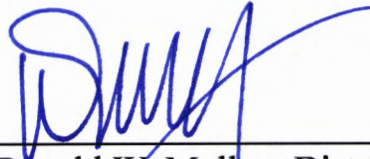
ORDER

Defendants Jeffery Andrew Burns and Cyara Joavany Whitlock move unopposed for leave to appear via video at the January 23 motions hearing. (Docs. 52, 53.) The purpose of the January 23 hearing is to address the purely legal questions raised in Defendants' discovery motions. (Docs. 36, 38, 42.) Under Rule 43(b)(3) of the Federal Rules of Criminal Procedure, defendants need not be present when the "proceeding involves only a conference or hearing on a question law." Accordingly,

IT IS ORDERED that Defendants' motions to appear at the January 23 hearing via video (Docs. 52, 53) are DENIED. The denial should not be construed

as excluding Defendants from the proceedings or limiting their participation in any way. Defendants are welcome to attend and participate in person.

DATED this 17th day of January, 2019.



Donald W. Molloy, District Judge
United States District Court